

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas

ENTERED

August 29, 2018

David J. Bradley, Clerk

CARLOS EDUARDO DELGADO,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

§
§
§
§
§
§
§

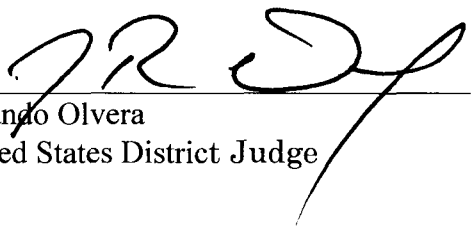
Civil Action No. 1:17-cv-00219
(Criminal Action 1:15-cr-00465-1)

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the "Magistrate Judge's Report and Recommendation" (hereafter "R&R") (Docket No. 20). The R&R recommends granting the United States of America's (hereafter "Respondent") "United States' Motion for Summary Judgment and Response to Motion for Relief under 28 U.S.C. § 2255" (Docket No. 19) and dismissing Carlos Eduardo Delgado's (hereafter "Petitioner") "Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody" (Docket No. 1); Petitioner filed no objections to the R&R. After a *de novo* review of the file, the R&R is **ADOPTED**.

It is therefore **ORDERED, ADJUDGED, and DECREED** that Respondent's "United States' Motion for Summary Judgment and Response to Motion for Relief under 28 U.S.C. § 2255" (Docket No. 19) is **GRANTED**. Petitioner's "Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody" (Docket No. 1) is **DISMISSED** with prejudice pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings for the United States District Courts. A certificate of appealability shall not issue. The Clerk is **ORDERED** to close this case.

Signed on this 29th day of August, 2018.



Rolando Olvera
United States District Judge